

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BETWEEN: -

Claim No: HC11C03381

CHRISTOPHER SHIPMAN

Claimant

- and -

(1) NEWSGROUP NEWSPAPERS LIMITED
(2) GLENN MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Counsel/solicitor for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant is the son of Harold Shipman. Together with his mother, the Claimant was the object of intense media scrutiny from 1998 to 2005, a period which spanned his father's initial arrest in 1998, the opening of the Shipman Enquiry in 2000, Harold Shipman's conviction for murder in 2001, his suicide in prison in 2004 and the inquest into his death in 2005.

3. The First Defendant was the publisher of *The News of the World* newspaper which, until its notorious closure in July 2011, was the UK's biggest selling Sunday newspaper with a very considerable readership in this jurisdiction. It was also published in an on-line version, www.newsoftheworld.com. As is now common knowledge, the Second Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included the unlawful interception of mobile telephone voicemail messages and, in the case of the Claimant, the unlawful interception of emails.
4. Throughout the period when the Claimant was subject to media scrutiny as a result of the crimes of his father, he never spoke to the media or allowed the media, including the Defendants, access to any information. He took this approach because he wished to maintain his privacy in the face of extremely difficult and distressing circumstances which were the subject of worldwide media interest and which were no fault of his own.
5. In 2004 the Claimant made extensive use of his personal email account for private purposes, using it to send and receive messages containing a range of confidential financial, medical and legal information relating to his personal and professional life and to the lives of his family, friends and associates. The emails sent and received included confidential and privileged communications with the Claimant's legal advisors containing information of the utmost sensitivity including in connection with his father's death and his mother's medical conditions. At no time did the Claimant ever provide the password to his email account to any other person or waive privilege in any of his communications.
6. On 15 August 2011 the Claimant was contacted by Metropolitan Police officers from Operation Weeting and told that they had evidence of unlawful interception of his email communications. The Claimant was

subsequently shown and provided with copies of emails dated August 2004 which the Second Defendant had intercepted, together with notes he had made. This evidence shows that the Defendants had unlawfully obtained the confidential access details to the Claimant's email account, including his password, and had accessed his inbox. The Claimant was so horrified to discover that his privacy had been invaded in this manner that he has told me he finds it hard to put it into words.

7. On 13 December 2011 the First Defendant admitted a list of matters including that it had entered into an agreement with the Second Defendant and paid him hundreds of thousands of pounds to obtain information about specific individuals for use by *The News of the World* journalists and publication in the newspaper. It admitted that certain of its employees were aware of, sanctioned and requested the methods used by the Second Defendant which included the unlawful interception of mobile phone voicemail messages and obtaining call and text data (which methods are known as "phone hacking"); obtaining information by "blagging"; and, in the Claimant's case, unlawfully accessing emails. It also admitted that the Second Defendant had provided journalists at *The News of the World* with information to enable the said journalists themselves to intercept voicemail messages. The First Defendant accepted that some information unlawfully obtained by the Second Defendant was used to enable private investigators employed by *The News of the World*, including Derek Webb, to monitor, locate and track individuals and place them under surveillance.
8. I am here today to publicly announce that the First Defendant has accepted liability in this matter for invasion of privacy and breach of confidence and agreed to pay substantial damages, including aggravated damages, to the Claimant, together with his legal costs. The First Defendant has also agreed to continue to carry out searches of

documents in its possession and to disclose the results to the Claimant so that he can ascertain the extent of the wrongdoing.

9. Both Defendants have also undertaken not to further access the Claimant's emails or private or confidential information or to publish unlawfully obtained private or confidential information about the Claimant.

Counsel for the First Defendant

10. My Lord, on behalf of the First Defendant I confirm everything [my learned Friend], Mr Tomlinson QC/Ms Allen, has said.
11. The First Defendant is here today through me to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to him by the unlawful interception of his emails and obtaining his private and confidential information. The First Defendant acknowledges that this information should never have been obtained in the manner that it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Counsel/Solicitor for the Claimant

12. My Lord I ask for leave to withdraw the record.



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Hugh Tomlinson QC/ Tamsin Allen for the Claimant



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Michael Silverleaf QC for the First Defendant